Remarks

Claims 81-100 are rejected under 35 U.S.C. §102(e) over U.S. Patent 6,324,279 (Kalmanek). All pending independent claims require:

- a signaling processor processes signaling to select a connection, a bandwidth rate, an encoding scheme, and a billing rate;
- the signaling processor transfers a message to an interworking unit to indicate the connection, the bandwidth rate, and the encoding scheme; and
- in response to the message, the interworking unit transfers encoded user communications over the connection at the bandwidth rate.

The recent office action asserts that gate controllers 110, 111 anticipate the claimed signaling processor. The office action states that a reserve message from the TIU to the edge router anticipates the message from the signaling processor to the interworking unit, but this is confusing because the gate controller (signaling processor) does not send the reserve message.

The office action does not specify which Kalmanek system anticipates the claimed interworking unit, but Applicants assume that these would be Telephony Interface Units (TIUs) 170,171, since they apply encoding and interworking.

The recent office action recites column 10, lines 7-9 as disclosing a billing rate message from the signaling processor to an accounting system, but this cited passage does not disclose such a message. The recent office action recites column 7, line 61 as disclosing that the signaling processor processes an SS7 message to make the selections, but the cited passage refers to a telephone network gateway that converts signaling from SS7 to a new protocol before it is processed by the gate controller. The recent office action recites column 23, lines 28-32 as disclosing the selection of an encoding scheme based on a called number, but this cited passage does not disclose such a selection.

In Kalmanek, the originating TIU transfers a set-up message to the gate controller. The set-up message indicates a telephone number, IP addresses for traffic sent to the originating TIU, and a list of possible coding that the originating TIU can perform. (See Kalmanek, column 9, line 40-43; column 21, line 1to column 22, line 31). The gate

controller processes the telephone number to transfer a corresponding set-up message to the terminating TIU. The terminating TIU returns a set-up acknowledgement message to the gate controller. The set-up acknowledgement message indicates IP addresses for traffic sent to the terminating TIU, and the specific coding from the list that the terminating TIU will perform. (See Kalmanek, column 9, line 51-53; column 22, lines 32-67).

Thus, it is clear that the originating TIU proposes a list of coding schemes, and the terminating TIU selects one of the coding scheme from the list. The gate controllers to not select the coding scheme as required by the claims. It is equally clear that the TIUs select the IP connections that they will use for the call. The gate controllers to not select the IP connections used by the interworking units as required by the claims.

Claims 90 and 100 were ignored in the recent office action.

If this rejection is maintained, Applicants request that the Examiner provide appropriate citations that are used in their proper context for all claims and claim limitations.

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